

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

PETER A. REYNOLDS, JR.

v.

PATRICIA COYNE-FAGUE, et. al.

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C.A. No. 20-00489-WES

MEMORANDUM AND ORDER

Before this Court are Plaintiff Peter A. Reynolds, Jr.'s Second and Third Motions for Appointment of Counsel. (ECF Nos. 14, 24). The Motions have been referred to me for determination. 28 U.S.C. § 636(b)(1)(A); LR Cv 72(a). For the reasons set forth below, Plaintiff's Second and Third Motions for Appointment of Counsel (ECF Nos. 14, 24) are DENIED.

Plaintiff previously moved for Appointment of Counsel, and the Court denied his Motion by Memorandum and Order. (ECF No. 5). His subsequent Motions for Appointment of Counsel do not set forth any new or additional information to support his renewed requests. In fact, in all three Motions, he argued that his imprisonment hindered his ability to prosecute the case pro se. Nevertheless, there is no absolute right to appointed counsel in a civil case. DesRosiers v. Moran, 949 F.2d 15, 23-24 (1st Cir. 1991). As this Court previously explained, Plaintiff bears the burden of demonstrating that "exceptional circumstances [a]re present such that a denial of counsel [i]s likely to result in fundamental unfairness impinging on his due process rights." DesRosiers, 949 F.2d at 23. Plaintiff has not demonstrated that exceptional circumstances are present, and his Second and Third Motions for Appointment of Counsel are DENIED without prejudice for the reasons the Court previously articulated.

SO ORDERED

/s/ Lincoln D. Almond
LINCOLN D. ALMOND
United States Magistrate Judge
October 20, 2021